

INTERNAL AFFAIRS DIVISION
General Investigations Section

20 July 2012
CL 1051563

Statement of: Accused, Sergeant Kenneth KROK, star 1599, relative to
the following allegations:

1. The complainant [REDACTED] alleges that on 29 January 2012, at approximately 1000 hours, at [REDACTED] the accused issued citation [REDACTED] for "Expired Plates" without justification. The complainant alleges that on 26 January 2012, she was involved in a traffic altercation with the accused and on 29 January 2012, the accused arrived at her residence and said, "Do you remember the person you gave the finger to the other day? Well that's me and by the way you have a fifty dollar ticket on your car for expired plates." The complainant alleges that her plates were not expired.
2. The complainant further alleges that the accused asked her whether she was a police officer and the department she worked for then threatened her stating, [REDACTED] "I am not done, I will call your job and I will have your job."
3. The complainant alleges that the accused on or about 29 January 2012, called her job and had a conversation with her supervisor regarding her, without justification.
4. The complainant Police Agent Zoila Mullings, star 3231, alleges that on 27 January 2012, at approximately 1253 hours, the accused queried the complainant's license plate information [REDACTED] via Department equipment without justification.

Statement taken at: Internal Affairs Division, Room 5045

Questioned and Typed by: P.A. Zoila MULLINGS, Star 3231, Unit 121

Date and Time: 20 July 2012, at 0945 hours

Attorney Present: Thomas PLEINES
Policemen's Benevolent & Protective Association Labor
Committee

IDENTIFICATION QUESTIONS

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MULLINGS: What is your full name, rank, star number, and unit of assignment?
KROK: Kenneth KROK, Sergeant of police, star 1599, assigned to Unit 477, Forensic Services South.

MULLINGS: What is your employee number?
KROK: [REDACTED]

MULLINGS: What is your date of appointment to the Department?
KROK: 22 December 1986.

MULLINGS: How long have you been assigned to your present unit?
KROK: Ten years.

MULLINGS: Have you been advised in writing of the specific charges/allegations made against you, the name of the complainant and your administrative rights?
KROK: yes.

MULLINGS: Did you read and understand the charges and your administrative rights?
KROK: Yes.

MULLINGS: Are you accompanied by counsel/representative of your choosing and if so identify him for the record.
KROK: Yes, Tom PLEINES.

MULLINGS: Do you understand that this is an official Police Department report and that any deviation from the truth could result in additional charges being placed against you?
KROK: Yes.

MULLINGS: "Rule 14 of the Chicago Police Department Rules and Regulation prohibit making a false report, written or oral. You may be separated from the Chicago Police Department if you make a false report." Do you understand this?
KROK: Yes I do.

MULLINGS: A sworn affidavit is required for this investigation.

MULLINGS: Are you ready to give your statement at this time?
KROK: Yes, I would like to preface this statement by stating that this statement is not being given voluntarily, but under duress. I giving this statement only because I have been advised both orally and in writing that I must give a statement or I will be fired from my job if I refuse.

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MULLINGS: Do you know [REDACTED]
KROK: No.

MULLINGS: Have you ever met the complainant [REDACTED]
KROK: No.

MULLINGS: On 29 January 2012, were you working?
KROK: Yes.

MULLINGS: What was your beat of assignment?
KROK: 5810.

MULLINGS: The complainant [REDACTED] alleges that on 29 January 2012, at approximately 1000 hours, at [REDACTED] the accused issued citation [REDACTED] for "Expired Plates" without justification. The complainant alleges that on 26 January 2012, she was involved in a traffic altercation with the accused and on 29 January 2012, the accused arrived at her residence and said, "Do you remember the person you gave the finger to the other day? Well that's me and by the way you have a fifty dollar ticket on your car for expired plates." The complainant alleges that her plates were not expired. Did you issue Citation [REDACTED] for "Expired Plates" to [REDACTED]?

KROK: No I did not.

MULLINGS: Who issued this citation?
KROK: Officer Raymond PIWNICKI.

MULLINGS: Did you have Officer PIWNICKI issue this citation?
KROK: Yes.

MULLINGS: Why did you have Office PIWNICKI issue this citation?
KROK: Because I was aware of the violation.

MULLINGS: How did you become aware of the violation?
KROK: Plates sticker on her car indicated that it expired on the 30 September 2011.

Attorney PLEINES asked for a short break which lasted approximately 30 seconds.

MULLINGS: Why were you at this location?
KROK: A few days prior I was off duty in my personal vehicle headed west bound on Archer Ave. I had just gone through the intersection at Cicero approaching Lamon. I was in the second lane from the center and there was a lane of traffic to my left heading in the same direction. When out of

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nowhere a vehicle came from my left driven by a person I now know as [REDACTED]. As the vehicle came from my left it made a very abrupt lane change to the right nearly striking my vehicle. At that point to avoid a traffic collision I hit my breaks and sounded my horn. As [REDACTED] continued her path to the right that's when I noticed that she was on the cell phone she has the cell phone to her left ear and her middle finger on her right hand extended with her middle finger out in my direction. At that point she continued on with her right hand turn on to Lamon. That's when I noticed a Fraternal Order of Police medallion affixed to the rear of her vehicle and I made a mental note of her license plate number. I then continued on west bound on Archer Avenue. On the following day I was scheduled to be at work when I arrived shortly after I used the Department computer to query her license plate number. The reason why I queried her license plate was because I saw a person who I had reason to believe was a Chicago Police Officer commit a dangerous traffic violation, a violation to the city's cell phone ordinance as well as rude and unprofessional conduct. As a sergeant of police I have an obligation to take some action.

MULLINGS:
KROK:

Why didn't you take action when this incident occurred?
I was off duty and I wasn't sure whether she was a Chicago Police Officer.

MULLING:

Why didn't you call "911" and have them assign a unit to the scene?

KROK:

I didn't feel that there was any immediate threat at the moment. I felt that I could handle it another way.

MULLINGS:

I interviewed the complainant and she informed me that she sat in her vehicle in her parking space talking on her cell phone for approximately 20 minutes and she observed you circling around several times. Why didn't you call a unit at this time?

KROK:

That didn't happen.

MULLINGS:

Did you follow the complainant to her residence after the traffic incident?

KROK:

No.

MULLINGS:

How is it that you got her license plate so fast if she was in traffic?

KROK:

I just made note of it. I had been the police for a long time.

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MULLINGS: On 29 January 2012, did you contact Officer PIWNICKI on his cell phone to come and write the ticket?
KROK: Yes.

MULLINGS: How well do you know Officer PIWNICKI?
KROK: Eight or ten years maybe. That's his assigned beat.

MULLINGS: Did you verify that this vehicle had expired plates?
KROK: I don't recall I just saw that the sticker was expired for several months. I recalled that I just saw that the sticker was expired for several months.

MULLINGS: I interviewed the complainant [REDACTED] and she stated that this citation was issued without justification because her plates were not expired. Are you still saying that the plates were expired?
KROK: Yes.

MULLINGS: Did you take a photo or have any proof that the vehicle had expired plated.
KROK: No. Officer PIWNICKI also witnessed the plates being expired for five months.

MULLINGS: During my interview the complainant presented a copy of her vehicle registration which records that the license plate was current on 29 January 2012 when Citation [REDACTED] was issued. Why are you saying that the complainant's plates were expired when there is proof otherwise?
KROK: The sticker on that car on the 29 January 2012 read September 2011. That was the expiration date.

MULLINGS: Did you have this citation issued to the complainant's vehicle because of the prior altercation that you had with the complainant?
KROK: No.

MULLINGS: Did you issue the citation to get back at the complainant for giving you the finger during the traffic altercation on 26 January 2012.
KROK: Absolutely not.

MULLINGS: Did you serve the citation on the vehicle?
KROK: I don't recall if I did it or Officer PIWNICKI but it was put on her windshield.

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MULLINGS: Did you see the complainant after you had this citation issued?

KROK: At her apartment.

MULLINGS: Why did you go to the complainant's apartment?

KROK: To talk to [REDACTED]

MULLINGS: Why did you need to talk to [REDACTED]

KROK: Believing that she was possibly a Chicago Police Officer I wanted to talk to her about her violation of the cell phone ordinance, her rude and unprofessional conduct, as well as the traffic violations.

MULLINGS: But at this time you knew that she was not a Chicago Police Officer. Why did you need to speak to her?

KROK: I didn't know that she wasn't a Chicago Police Officer at that time.

Attorney PLEINES asked to speak to his client at 1027 minutes. Statement resumed at 1029 hours.

MULLINGS: You ran the complainant's license plate on 27 January 2012, did you not?

KROK: Yes.

MULLINGS: So you knew that Officer [REDACTED] was not a Department member seeing that you knew who she was and where she lived? Did you not?

KROK: I wouldn't have known that until I had spoken to her.

MULLINGS: Why did you need to speak to her to know whether she was a Chicago Police Officer when we have a personnel listing that you could have checked to verify whether she was a CPD officer?

KROK: I figured I would just go talk to her personally and if she was a Chicago Police Officer I would take some kind of corrective action and talk to her about her conduct.

MULLINGS: If you wanted to take corrective action about her conduct why didn't you do so on the day of this incident?

KROK: I was off duty.

MULLINGS: You could have called a unit to the scene could you not?

KROK: I think I already answered that question.

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MULLINGS: In reference to your response that you wanted to take corrective action if this person was a CPD officer why did you wait until 29 January 2012, to approach Officer [REDACTED] instead of doing it on the day of the incident?

KROK: I believe I already answered that question.

MULLINGS: The complainant alleges that you knocked on her door and said to her, "Do you remember the person you gave the finger to the other day? Well that's me and by the way you have a fifty dollar ticket on your car for expired plates." Why did you go to the complainant's residence and told her, "Do you remember the person you gave the finger to the other day? Well that's me and by the way you have a fifty dollar ticket on your car for expired plates?"

KROK: That was not the content of the conversation.

MULLINGS: What was the content of the conversation?

KROK: After I knocked on the door [REDACTED] answered the door. I asked the person who answered the door "Are you [REDACTED]?" She responded "Yes." I asked her "Are you a police officer Maam?" She responded "Yes." I said "Maam, do you remember the other day when you nearly caused the traffic collision while you were on your cell phone and flipping the finger to that driver?" She responded "Yes." I told her "Maam, that was me in my vehicle," I informed her that that conduct is improper for a police officer to be exhibiting and I reminded her that her conduct both on and off duty is governed by a code of conduct. She said "Well, I'm not with Chicago." So I asked her what department she was with, and she responded "The Department of Aviation, City of Chicago." I then told her that as a City employee she is required to follow all City Ordinances, State Statutes and Federal Codes. That's when I informed her that due to the expired plates on her vehicle a violation notice was issued. At that point she slammed the door. I knocked on her door and asked her to open the door that our conversation wasn't over yet, she refused to open the door. At that point I left the location

MULLINGS: Do you normally go to the traffic violator's residence after issuing a citation and inform them that you issued them a citation?

KROK: No.

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MULLINGS: Did you go and inform the complainant of this citation to get back at the complainant because of the traffic altercation that you had on 26 January 2012?

KROK: No I did not.

MULLINGS: The complainant stated that you knocked on her door and told her "Do you remember the person you gave the finger to the other day? Well that's me and by the way you have a fifty dollar ticket on your car for expired plates." Why are you saying that you did not issue the citation to get back at the complainant for giving you the finger?

KROK: That would be unprofessional.

MULLINGS: The complainant further alleges that the accused asked her whether she was a police officer and the department she worked for then threatened her stating, "[REDACTED] am not done, I will call your job and I will have your job." Did you threaten the complainant by stating to her "[REDACTED] am not done, I will call your job and I will have your job?"

KROK: No I did not.

MULLINGS: The complainant alleges that the accused on or about 29 January 2012, called her job and had a conversation with her supervisor regarding her, without justification. Did you contact the complainant's job on or about 29 January 2012?

Attorney PLEINES asked to speak to his client at 1053 minutes. Statement resumed at 1054 hours

KROK: I did not call her job no.

MULLINGS: Did you have someone else call her job on your behalf?

KROK: No.

MULLINGS: I interviewed Lt. DESSANDRO of the Aviation Police Department and he informed me that a Sergeant KROK of the Chicago Police Department called him and spoke to him regarding their employee [REDACTED] Why are you saying that you did not contact her job when the Lieutenant of the Aviation Police Department said you did?

KROK: The question you gave me was whether I called. I physically went to midway Airport and informed him of the infractions and rude conduct of their employee. He informed me that she is in fact employed by the Department of Aviation assigned to O'Hare on midnights. Lt. DESSANDRO apologized to me personally for their Department employee's actions and then he asked me if I wished to file a formal complaint against Officer

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██████████ I responded "No," I just wanted to bring this to your attention and you can take whatever action you feel that is appropriate." He thanked me for bringing this to his attention, again apologized, we shook hands and then left.

MULLINGS: The complainant Police Agent Zoila Mullings, star 3231, alleges that on 27 January 2012, at approximately 1253 hours, the accused queried the complainant's license plate information ██████████ via Department equipment without justification. Did you query the complainant's license plate via Department equipment?

KROK: Yes as I already stated I did.

MULLINGS: Did you query the complainant's license plate ██████████ without justification?

KROK: No, I believed the actions taken by me were required as a supervisor.

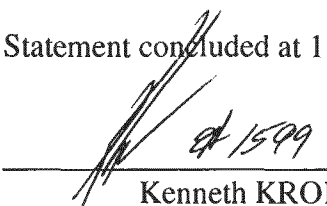
MULLINGS: Is there anything you would like to add to this statement?


KROK: As a supervisor of the Chicago Police Department I have a responsibility to that department to protect and preserve the image of the Department. The situation presented to me led me to believe that the person involved could possibly be a Chicago Police Officer that is why I did what I did.

MULLINGS: After reading this statement consisting of 9 pages and finding it to contain accurately the questions asked and the responses that you have given, will you sign it?

KROK: Yes I will.

Statement concluded at 1110 hours.


Kenneth KROK, Star 1599


P.A. Zoila MULLINGS, Star 3231

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